Basic Hanafi Fiqh Principles

A few principles of the Hanafi school will enable us to recognize the necessity of understanding the Hadiths that seem to be in conflict. These principles will also expose how unaware the so-called “Followers of Hadiths” are.

The scholars of the principles of Fiqh have clearly stated that just as a certain amount of knowledge is required for the understanding of the Quran, there is also a need to understand the rules and principles of hadith study AKA "Usul al-Fiqh".

For instance, a certain word in the Quran may be common or general;
It could have more than one meaning, or it could be confined to a certain meaning only. Is a certain word taken literally, or does it have a figurative meaning as well? Is a certain order given as a command, or is it optional or is the statement giving permission to perform this action?

One has to be well-versed in all these principles which deal with the significance
of the Quran and Hadith. In exactly the same way, one has to be well-versed in the principles that deal exclusively with the Hadiths. These principles are divided into a few categories.

The first of these categories deals with the chains of narrators linking us to Allah’s Messenger (PBUH). These chains render a narration Mutawatir, Mashhur or Khabar al-Wahid. (Click here to see post). Mashhur is that type of hadith of which the narrators were only one or two individuals from the era of the Companions, but after them the number of narrators reached the level of Mutawatir. Khabar al-Wahid refers to that type of hadith which fails to reach the status of Mutawatir right up to the last set of narrators.

The scholars have differed greatly as to whether the latter type of Hadiths compels one to act upon it or not.

According to the Hanafi school of thought, at times it is necessary to act upon them, while at other times it is not.

According to the Maliki school of thought, if a Hadith of this nature is illogical, it is not necessary to practice upon it. However, according to the Hanafi school of thought, if the narrator is perceptive and discerning **for example, the**

narrator is one of the Four Caliphs, Abdullah ibn Masud, Abdullah ibn Umar Abdullah ibn Abbas, Abdullah ibn al-Zubayr, Zayd ibn Thabit, Muadh ibn Jabal, A'isha the Truthful, and so forth, then that type of hadith will compel us to practice upon it, whether it is logical or illogical. However, if the narrator is not as well-known in the field of fiqh, his narration will not be accepted if the narration is contrary to other more rational narrations.

This is why when Abu Hurayra said that the consumption of anything cooked over fire nullifies Wudhu, Abdullah ibn Abbas, dismissed his narration by asking, "If water heated over fire is used for wudu, will it be necessary to repeat
the Wudhu?" Hence, Abdullah did not consider this narration worthy of establishing as an injunction.

If the narrator of any Hadith is unknown in the field of Hadith, but the other narrators who are narrating from him are reliable, then he will also be considered as a known narrator and his narration will be accepted. However, there are four conditions for the reliability of a narrator:
(1) he should be a Muslim,
(2) he should be sane,
(3) his memory should be sound, and
(4) he should not be a flagrant violator of Islamic law [fasiq].

Each one of these conditions is mentioned in detail in its appropriate place. For example, that a person should not be a fasiq means that he should not perpetrate major sins, nor should he be guilty of consistently perpetrating minor sins. Similarly, that a person should be of a sound memory means that he heard the hadith with complete attention, he remembers it while he conveys it, and he understands the meaning of the hadith while listening to it.

The second category deals with the succession and interruption of a Hadith. The specialists dealing with the principles of hadith have divided interruption into two types: **Apparent [Zahiri] interruption and Hidden [Batini] interruption.** Apparent interruption means that a link is missing in the chain of narrators, either among the Companions or the other narrators. The scholars have differed on this issue, as well as the issue of when a hadith is worthy of establishing as an injunction and when it is not. The second form of interruption is called, a hidden interruption, It is not exactly an interruption, at first glance, but due to their penetrative insight and their respect to the hadiths, the scholars have labeled it an interruption. This is why many scholars do not include it in the category of interruption. This *hidden* form of

interruption can be due to many reasons. It could be because the hadith is contrary to the Quran. For example, there is a Hadith that states, “Salat is not permitted without Surat al-Fatiha." This hadith apparently falls in contradiction to the general verse of the Quran, “Read from the Qur'an whatever is possible for you [ma tayassara]” Surat al-Muzzammil 73:20). This is why the scholars say that the Hadith in question has a hidden form of interruption in it.

This form of interruption could also be due to a particular hadith being contrary to a more famous authentic hadith.

For example, there is a hadith that says, “Judgment can be passed with one witness and an oath.” In other words, instead of the compulsory two witnesses required in court, if there is only one witness, an oath will be taken by the plaintiff in place of the other witness and a judgment can still be passed. However, this hadith is contrary to an authentic Hadith which specifies, “A plaintiff is compelled to produce evidence (in the form of witnesses, etc.) and if he is unable to do so, the defendant should take an oath.” On the basis of the latter narration, the first hadith would not be acceptable.

Similarly, if a narrator relates only a part of a famous incident and omits the other portion, this is proof enough that the narration is a bit dubious.
In addition, if the Companions do not accept a certain hadith and, following discussion among themselves, they infer their own judgments, this indicates that the hadith is not acceptable. Likewise, if a narrator refutes his own narration, or he acts in contrary to his own narration, or he issues religious verdicts [fatawa] against his own narration, his hadith is considered dubious. *(Remeber the Hanafi School had 40 Students / Scholars to verify their rulings and agree upon it, also Imam Malik, He narrates Hadith for Raful Yadain but doesnt practice it because he says the Tabi'een around me do not practice this in Madinah which indicates an abrogation)*

THE MOST BASIC REASON FOR DIFFERENCES

In short, all the Imams—whether they were Imams of jurisprudence or hadith—have a specific set of rules for assessing whether or not a hadith should be practiced upon. This has contributed greatly to a difference of opinion among the Imams with regard to the hadiths. One hadith may be accepted by some scholars because it reaches the standards set by them, while the same hadith will be rejected by the others because it does not conform to their established standards. The only person who will be able to

come to some decision is the one who is wholly aware of the standards and principles set out by both of these groups. As for the person who is unaware of both, he—as the Persians would say—'himself is astray, so how can he guide others?"

Quite frankly, I (Shaykh Muhammad Zakariyyah) am surprised at the people who do not follow any particular school of thought [ghayr muqallidin] who, in spite of knowing what is right, provoke the masses into believing that those who do follow a school of thought do not give much weight to a hadith that is in opposition to the opinions of the Imams. The masses of those who do not follow a school of thought are, after all, ordinary laymen. I do not have any complaint against them.

However, I do have a complaint against the people of knowledge who, in spite of having knowledge, conceal the truth from the masses. They are actually disguising the truth and deceiving the Umma.

Not from the Shaykh (below)

Certain Scholars of Islam have actually removed Hadith from the collection of Sahih Hadith and claimed that they were weak or fabricated in order for it to suit their own dodgy aqeedah. These negations may not take them out of the fold of Islam, (In some cases) but they are totaly deluded that certain acts by other Muslims are acts of Shirk or Biddah.

Some Scholars have sold their Imam to the Kuffar for a healthy pay check, and therefore have become KAFIRS. And before you start accusing me of Takfeer, remeber Ghulam Ahmed Mirza Qadyani, well there are others out there too. Allhu Alum.

http://www.muftisays.com/blog/abu+mohammed/459_18-10-2010/basic-hanafi-fiqh-principles.html